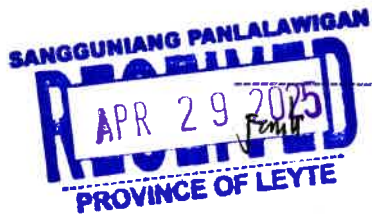


Date: MAY 27 2025

Province of Leyte
Legal OfficeChecked: [Signature]
Time: 9:00
Date: 5-28-25Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
April 23, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-07 of the Sangguniang Bayan of Hilongos, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2025-07 entitled: "An Ordinance prohibiting Online Sexual Abuse or Exploitation of Children (OSAEC) and Child Sexual Abuse or Exploitation Materials (CSAEM) in the Municipality of Hilongos institutionalizing programs for its prevention and eradication and providing penalties thereof, thereafter establishing a supportive environment for child victims, and providing funds thereof."

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(5)(xiv)¹ of the Local Government Code of 1991 (R.A 7160) in relation to R.A. 7610² and RA 11930³. Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ (a) (xiv) Provide for the care of paupers, the aged, the sick, persons of unsound mind, disabled persons, abandoned minors, juvenile delinquents, drug dependents, abused children and other needy and disadvantaged persons, particularly children and youth below eighteen (18) years of age and, subject to availability of funds, establish and provide for the operation of centers and facilities for said needy and disadvantaged persons;

² "Special Protection of Children Against Abuse, Exploitation and Discrimination Act."

³ "Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act, July 30, 2022."


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-o0o-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
14 April 2025

Received
4.21.25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2025-07** of the **Municipality of Hilongos, Leyte**, entitled: **An Ordinance prohibiting Online Sexual Abuse or Exploitation of Children (OSAEC) and Child Sexual Abuse or Exploitation Materials (CSAEM) in the Municipality of Hilongos** institutionalizing programs for its prevention and eradication and providing penalties thereof, thereafter establishing a supportive environment for child victims, and providing funds thereof.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

Received
4.21.25



Republic of the Philippines
Province of Leyte
Municipality of Hilongos

OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN



11 April 2025

HON. LEONARDO M. JAVIER, JR.
Provincial Vice-Governor
Province of Leyte
Tacloban City

Sir:


Greetings!

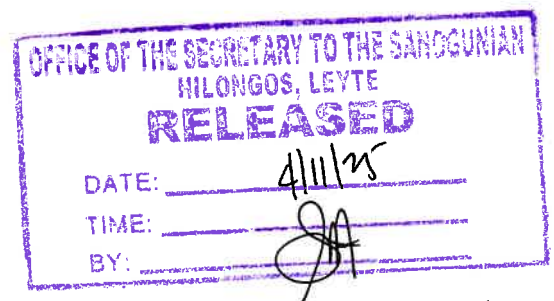
Respectfully forwarding fifteen (15) copies of **Municipal Ordinance No. 2025-07: An Ordinance Prohibiting Online Sexual Abuse and Exploitation of Children (OSAEC) and Child Sexual Abuse or Exploitation Materials (CSAEM) in the Municipality of Hilongos Institutionalizing Programs for its Prevention and Eradication and Providing Penalties Thereof, Thereafter Establishing A Supportive Environment for Child Victims, and Providing Funds Thereof, with attached to wit:**

- a) Certificate of Posting
- b) Minutes of the Public Hearing

Hoping for its approval, I am.

Very respectfully yours,


CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian





Republic of the Philippines
Province of Leyte
Municipality of Hilongos



OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN

11 April 2025

HON. LEONARDO M. JAVIER, JR.
Provincial Vice-Governor
Province of Leyte
Tacloban City



Sir:

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Respectfully forwarding fifteen (15) copies of **Municipal Ordinance No. 2025-07: An Ordinance Prohibiting Online Sexual Abuse and Exploitation of Children (OSAEC) and Child Sexual Abuse or Exploitation Materials (CSAEM) in the Municipality of Hilongos Institutionalizing Programs for its Prevention and Eradication and Providing Penalties Thereof, Thereafter Establishing A Supportive Environment for Child Victims, and Providing Funds Thereof, with attached to wit:**

- a) Certificate of Posting
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Hoping for its approval, I am.

Very respectfully yours,


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Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Hilongos

OFFICE OF THE SANGGUNIANG BAYAN



SANGGUNIANG PANLALAWIGAN

APR 14 2025
PROV. HILONGOS

MUNICIPAL ORDINANCE NO. 2025-07

AN ORDINANCE PROHIBITING ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN THE MUNICIPALITY OF HILONGOS, INSTITUTIONALIZING PROGRAMS FOR ITS PREVENTION AND ERADICATION AND PROVIDING PENALTIES THEREOF, THEREAFTER ESTABLISHING A SUPPORTIVE ENVIRONMENT FOR CHILD VICTIMS, AND PROVIDING FUNDS THEREOF

Authored by:

HON. BERNADETH M. NERVES

Chairperson, Committee on Social Services, Women, Children, Family Affairs and GAD

Co-Authored by:

HON. ALINE B. REOMA

HON. TRINIDAD V. ZARATE

Members, Committee on Social Services, Women, Children, Family Affairs and GAD

WHEREAS, Section 3, Article XV of the 1987 Philippine Constitution provides that "the state shall defend the rights of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development";

WHEREAS, R.A. No. 7610 or the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act" provides that is hereby declared to be the policy of the State to provide special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination and other conditions, prejudicial their development: provide sanctions for their commission and carry out a program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation and discrimination;

WHEREAS, R.A. No. 7160 (the Local Government Code of the Philippines), "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare." Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, R.A. No. 7160 (the Local Government Code of the Philippines), provides that the Sangguniang Bayan, as the legislative bodies of the Municipality, shall enact, approve resolutions, and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code;

WHEREAS, R.A. No. 11930 or the "Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act"

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EDWIN F. FALLER
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ALBERT R. VILLAHERMOSA
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SB Member

MANUEL M. CABISAN
SB Member

MANUEL V. LORA
SB Member

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declared it to be the policy of the State to provide special protections to children from all of sexual violence, abuse and exploitation especially those committed with the use of information and communications technology (ICT), provide sanctions for their commission and carry out programs for the prevention, deterrence and intervention in all situations of online sexual abuse and exploitation of children in the digital and non-digital production, distribution or possession of child sexual abuse or exploitation material;

WHEREAS, R.A. No. 11862 or the Expanded Anti-Trafficking Act of 2022 was signed into law by President Rodrigo Duterte on 23rd June 2022 which provided for the definition of Online Sexual Abuse of Exploitation of Children (OSEC) and Child Sexual Abuse and Exploitation Material (CSAEM) or Child Sexual Abuse Material (CSAM);

WHEREAS, Section 33 of R.A. No. 11930 or the Anti Online Sexual Abuse and Exploitation of Children Law provides that Local Government shall pass an Ordinance to localize efforts against OSAEC and CSAEM, take into account local culture and norms, institutionalize community based initiatives that address OSAEC and CSAEM at the barangay level, establish OSAEC and CSAEM prevention programs that aims to educate families against OSAEC and CSAEM and provide a holistic local program for rehabilitation and reintegration under the local services welfare and development office including support and protection for victims and survivors;

WHEREAS, the Municipality of Hilongos continues to demonstrate exemplary child friendly governance;

WHEREAS, the internet has been a positive catalyst for innovation, education, and economic growth, however, it has also enabled those who would children by making it easier for them to produce, access and share sexual abuse materials; to find like-minded offenders; and reduce their risk of detection;

WHEREAS, DILG MC No. 2024-094, dated July 10, 2024, integrates the enactment of local ordinance against OSAEC and CSAEM as one of the indicators of the Child-Friendly Local Governance Audit (CFLGA);

WHEREAS, the adoption of stronger legislative measures in support of online safety of children in the Municipality of Hilongos will pave the way for the protection and development of the child and it will enhance local governance and strengthen the child protection if survivors are capacitated for leadership development, advocacy, and participation;

NOW THEREFORE, be it ordained by the Sangguniang of Hilongos that:

Section 1. Short Title – This Ordinance shall be known as the “An Ordinance Prohibiting Online Sexual Abuse and Exploitation of Children and Child Sexual Abuse and Exploitation Materials in the Municipality of Hilongos” or “**Anti-OSAEC/CSAEM Ordinance**.”

Section 2. Scope and Application – This Ordinance covers all households, restaurants, internets, hotels, lodges, resorts and allied business establishments, private business establishments, government agencies and its facilities within the Municipality of Hilongos.

Section 3. Declaration of Policy – The Municipality of Hilongos hereby declares as policy that:

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Municipal Vice-Mayor

- Each child is protected against the ill-effects of and the dangers of unsafe internet use and prevent online abuse and sexual exploitation;
- Families, parents and guardians and their children shall be educated and well-informed about positive parenting, specifically, guiding their children on the use and adoption of internet or online-offline safety behaviors;
- Persons in government offices and other public and private institutions are educated on OSAEC and CSAEM as it evolves and how to respond to technology-based trafficking in persons and are capacitated to respond according to their mandates;
- Online business and other allied services/enterprises, such as, but not limited to data providers, money transfers, IT equipment providers and internet installers are compliant to existing laws and its provisions in ensuring online safety.

Section 4. Definition of Terms – For the purpose of this Ordinance, the following terms and phrases shall mean:

- “Child”** refers to a person below eighteen (18) years of age or over but is unable to fully take care of himself/herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition;

A child shall also refer to:

- A person regardless of age who is presented, depicted, or portrayed as a child defined herein;
 - Computer-generated, digitally or manually crafted images or graphics of a person who is represented or who is made to appear to be a child as defined herein.
- “Child sexual abuse”** refers to any form of communication through any platform or format, or any physical interaction between a child and any person when the child is being used for any act or activity inducing sexual stimulation or for the purpose of sexual gratification or in pursuit of the desire to have carnal knowledge of the child, regardless of the gender of the perpetrator or the victim, or the consent of the victim;
 - “Child sexual exploitation”** refers to any of the following acts even if consent appears to have been granted by the child:
 - Child sexual abuse with consideration whether monetary or nonmonetary consideration, favor, or benefit in exchange for the opportunity to perform such abusive or exploitative act;
 - Actual sexual intercourse with a child or children with or without consideration;
 - Employing fraud, machination, undue influence, intimidation, threat or deception by any person to commit sexual abuse or sexual intercourse with a child or children; or
 - Any other similar or analogous acts related to child abuse, cruelty, or exploitation or to be responsible for other conditions prejudicial to the development of the child.

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d. **"Child Sexual Abuse or Exploitation Material (CSAEM) or Child Sexual Abuse Material (CSAM)"** refers to any representation, whether offline, or by, through or with the use of ICT, by means of visual, video, audio, written, or any combination thereof, by electronic, mechanical, digital, optical, magnetic or any other means, of a child engaged or involved in real or stimulated sexual activities, or depicting acts of sexual abuse or exploitation of a child as a sexual object. It shall also include materials that focus on the genitalia or other private body parts of a child. For purposes of this Act, CSAEM may interchangeably be referred to as CSAM;

e. **"Internet café or kiosk"** refers to an establishment that offers or proposes to offer services to the public for the use of its computer/s or computer system for the purposes of accessing the internet, computer games or related services. This includes machines such as *piso-net*, etc.

f. **"Online Sexual Abuse and Exploitation of Children (OSAEC)"** refers to the usage of digital or analog communication and ICT as means to abuse exploit children sexually which includes cases in which contact child abuse or exploitation offline is combined with an online component. This can also include the production, dissemination, and possession of CSAEM or CSAM; online grooming of children for sexual purposes; sexual extortion of children; sharing image-based sexual abuse; commercial sexual exploitation of children; exploitation of children through online prostitution; and live streaming of sexual abuse, with or without the consent of the victim.

g. **"Remittance Centers"** refers to financial service provides that allow people to send or receive money to anyone within the country or abroad. They offer a traditional way to transfer money for Filipinos without a bank account, Paypal account, and/or internet connection;

h. **"Sexual Abuse or exploitation material"** refers to any online or offline representation, whether visual, audio or written combination thereof, by electronic, mechanical, digital, optical, magnetic or any other means, of child engaged or involved in real o stimulated explicit sexual activities;

In the online platform, sexual abuse or exploitation material shall include visual or audio or written materials or a combination thereof which is distributed via email, text message, instant messaging, chat rooms, peer-to-peer file sharing networks, social media platforms, and unencrypted and encrypted communication apps or traded on password-protected sites, bulletin boards and forums.

i. **"Videotaped In-Depth Interview (VIDI)"** shall mean a video recorded "inquiry or proceeding conducted by duly trained members of a Multi-disciplinary Team (MDT) or representatives of law enforcement or child protective services for the purpose of determining whether child abuse has been committed;

j. **Trauma-Informed Care** is an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma and seeking to employ practices that do not traumatize or re-traumatize; (National Child Traumatic Stress Network, 2020);

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k. **Network of Care** – refers to a Trauma-Informed Network of Government and Private Facilities and Service providers within a Region, offering Programs and Services for OSEC Survivors and their Families with a protocol that facilitates efficient and effective communication, coordination, and collaboration in service delivery;

l. **Foster Care** refers to the provision of planned temporary substitute parental care to a child by a foster parent. While **Foster Child** refers to a child placed under foster care. **Foster Family Care License** refers to the document issued by the DSWD authorizing the foster parent to provide foster care. **Foster Parent** refers to a person, duly licensed by the DSWD, to provide foster care;

m. **Kinship Care** is the full-time care of a child by a relative or another member of the extended family;

n. **Philippine Survivor Network (PSN)** an all-inclusive program for members in the Philippines from different case types of violence like child sexual abuse, commercial sexual exploitation, of children, who desire and pursue safe communities through justice systems that protect the most vulnerable;

o. **Local Survivor Group** is a group of survivors in a specific region who have come together for a cause and to support one another. This group maybe affiliated with International Justice Mission (IJM), IJM partners or others.

p. **Community Survivor Support Group** are individuals with experience and expertise to offer. Survivors can use their experience and expertise in a leadership capacity to empower and work with fellow survivors and the community. Community Survivor Support Group means survivors are engaged as leaders who can shape programs or projects through their direct contribution; and survivors are impacting and leading the movement against violence and slavery.

Section 5. Prohibited Acts – The following are considered acts of online sexual abuse and exploitation of children (OSAEC) and it shall be unlawful for any person to commit any of the following act:

- Online child sexual abuse material – accessing, possessing, producing and/or distributing images and/or videos of child sexual abuse;
- Grooming of children for sexual purposes – developing a relationship with a child to enable their sexual abuse and/or exploitation, either online or offline;
- Live-streaming sexual abuse of children – using online video applications to view and sometimes interact with the sexual abuse of children live;
- Sextortion: coercing and blackmailing children for sexual purposes – producing and/or utilizing sexual images and/or videos depicting a child, for the purposes of sexual, financial, or other personal gains;
- Other unlawful or prohibited acts as provided under the Republic Act No. 9775 or “Anti-Child Pornography Act of 2009, Republic Act No. 11862 or the “Expanded Anti-Trafficking in Persons Act of 2002” and Republic Act No. 11930 or the “Anti Online Abuse and Exploitation of Children Law”.

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Section 6. Roles and Responsibilities of the LGU

- Strictly monitor and regulate the establishment and operation of internet cafés and kiosks or similar establishments to prevent violations of the Act;
- Monitor and document cases of OSAEC and CSAEM, through MSWDOs and ensure proper referral and regular submission of reports to the DSWD Field Offices;
- Effect the cancellation, suspension, or revocation of licenses of establishments which violates the provisions of this Ordinance and as may be provided by R.A. No. 11930 and other related-laws and policies;
- Undertake education and information campaigns to prevent and suppress OSAEC and CSAEM;
- Assist, coordinate, and partner with the Social Welfare Development Agencies (SWDAs) in enhancing their resources or technical capabilities to implement anti-OSAEC and CSAEM programs;
- Establish and support community-based initiatives and prevention programs that aim to educate families against OSAEC and CSAEM;
- Provide basic social services for the prevention, rescue, recovery, rehabilitation, and reintegration under the MSWDO, including aftercare support services to child victim- survivors;
- Assist and refer families of child victim-survivors for local employment, whether private or public, through the Public Employment Service Office (PESO), in coordination with the DOLE, as part of the reintegration programs of the government;
- Enact and implement ordinances to localize efforts against OSAEC and CSAEM, taking into account local culture and norms;
- Coordinate with the Council for the Welfare of Children (CWC) OSAEC and CSAEM and the DILG to ensure consistency between the local ordinances or issuances, the Act, and this IRR;
- Ensure the participation of the Sangguniang Kabataan (SK) and the allocation of sufficient funds from the SK funds and resources for the initiatives against OSAEC and CSAEM at the barangay level;
- Strengthen, activate, and mobilize existing child-focused committees (BCPCs, LCPCs and LCAT-VAWCs), councils, similar organizations, and barangay levels to prevent and suppress OSAEC and CSAEM;
- Assist and support in the filling of cases;
- Coordinate with, refer, and endorse to the DSWD and/or other relevant agencies of government all cases of OSAEC and CSAEM depending on the child victim-survivor's needs; and
- Provide technical assistance to Barangays to ensure that they also adopt local ordinances against OSAEC-CSEAM.

Section 7. Mandatory Services to Victims of Child Sexual Abuse or Exploitation – The Municipal Social Welfare and Development Office (MSWDO) shall ensure that the child who is a victim of any form of child sexual abuse or exploitation is provided appropriate care, custody and support for their recovery and reintegration in accordance with existing laws.

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SB Member

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The child and her/his family shall be entitled to protection as well as to the rights and benefits of witness under Republic Act No. 6981, otherwise known as "The Witness Protection, Security and Benefit Act."

To ensure recovery, rehabilitation, and reintegration into the mainstream of society, the Municipality of Hilongos in partnership with the concerned government agencies in support with the barangays shall make available the following services to victims of any form of child sexual abuse or exploitation;

1. Emergency shelter or appropriate housing;
2. Alternative family-based care like Foster Care and Kinship Care
3. Counselling;
4. Free legal services, which shall include information about the victim's rights and the procedure for filing of complaints, claims for compensation and other legal remedies available to them in a language understood by the child;
5. Medical and/or psychological services;
6. Livelihood and skills training;
7. Education assistance; and
8. Support services to survivor empowerment, leadership development, advocacy and participation
9. Sustained supervision and follow through mechanism that will track the progress of recovery, rehabilitation and reintegration of child victims shall be adopted and carries out.

Section 8. Provision of Legal Assistance to victims-survivors - The Municipal Legal Officer, with the assistance of the Provincial Prosecutor assigned in the Municipality of Hilongos, shall be appointed to ensure that victim-survivors are provided with legal services and assistance, which shall include information about the child victim-survivors rights and the procedure for filing of complaints, claims for compensation and such other legal remedies available to them in a language understood by the child.

Section 9. Case Referral - When a person has knowledge or information of facts or circumstances that a person is suspected to be victim of OSAEC or other related trafficking or is about to be victim of the same, he or she may immediately report the case to any of the following:

1. Barangay VAW Desk Officer;
2. Members of the Local Council for the Protection of Children (LCPC);
3. Members of the Local Committee on Anti-Trafficking and Violence Against Women and their Children (LCAT-VAWC);
4. Municipal Social Welfare and Development Office (MSWDO) with Hotline No. 0927-083-2521
5. PNP Hilongos Station - Women and Child Protection Desk (WCPD) with
6. Hotline No. 0966-466-7628 and 0998-598-6494;
7. Inter-Agency Council Against Human Trafficking (IACAT) Action Line through 1343;
8. MAKABATA Helpline through 1383
9. Other Law Enforcement Agencies;
10. CSOs, NGOs and faith-based organizations

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Municipal Vice-Mayor

Section 10. Anti-Trafficking in Persons Database - The LCAT-VAWC Council of Municipality Hilongos shall strictly monitor and document cases of trafficking in persons which includes the OSAEC-CSAEM Cases within the Municipality. The Council is hereby tasked to ensure the harmonization of its database, including data requirements, definitions, reporting formats, data collection systems, and data verification systems. Such database shall have, at the minimum, the following information:

1. Number of cases of TIP, sorted according to the status of cases, including the number of cases being investigated, submitted for prosecution, dropped, and filed and/or pending before the courts and the number of convictions and acquittals;
2. Demographic profile/information on each case (sex and age disaggregated);
3. Number of victims of TIP referred to the agency by destination countries/areas and by area of origin (sex and age disaggregated)

Section 11. Programs for Victims of Child Sexual Abuse or Exploitation - The Municipality of Hilongos shall develop and implement the necessary programs that will prevent any form of child sexual abuse or exploitation, as well as protect, heal and reintegrate the child into the mainstream of society. Such programs shall include but not limited to the following:

1. Provisions of mandatory services including counseling, free legal services, medical or psychological services, livelihood and skills training and educational assistance to the child pursuant to Section 7 of this Ordinance;
2. Provision of necessary technical and material support services to appropriate government agencies and non-governmental organizations (e.g. mostly financial support for training, needs of MDTs and network of care);
3. Sponsorship of conferences and seminars to provide venue amongst the public, academe, government, non-governmental and international organizations including the regional network of care;
4. Promotion of information and education campaign;
5. Survivor Empowerment, Leadership Development, Advocacy and Participation; and
6. Establishment of a survivor network and local survivor support group.
7. As assessed and recommended by the Municipal Social Worker, the programs mentioned above shall also be provided to immediate family members of the child victim ONLY when they are not the offending party and that there is no indication of bias in favor of the perpetrator.

Section 12. Responsibility of Owners/Operators and/or Lessors of Other Business Establishments - All owners/operators and/or lessors of the other similar business establishments, like restaurants, lodges, pension houses, hotels, resorts, etc. shall notify the PNP-WCPD Section of the Municipality of Hilongos or the NBI within 48 hours from obtaining facts and circumstances that child sexual abuse or exploitation is being committed in their premises. Provided, that public display of any form of child sexual abuse or exploitation within their premises is a conclusive presumption of the knowledge of establishments owners/operators and owners or lessors: Provided further, that a disputable presumption of knowledge by the owners/operators and/ or lessors of other business establishment should know or reasonably know that a violation of this 48 hours from discovery thereof.

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Ex-Officio Member / President, Pambayang Pederasyon ng Sangguniang Kabataan

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SB Member

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SB Member
(on vacation leave)

ALINE B. REOMA
SB Member

CATHERINE A. FABULAR
Secretary to the Sanggunian

Photo developers, information technology professionals, credit card companies, remittance centers and banks, and any person who has direct knowledge of any form of child sexual abuse or exploitation activities shall have the duty to report any suspected child sexual abuse or exploitation materials or transactions to the proper authorities within 48 hours from discovery thereof.

Any will and intentional violation of this provision shall be subject to the penalty provided under Section 21 of this Ordinance.

Section 13. Authority to Regulate Internet Café or Kiosk – The LCAT-VAWC Council shall have the authority to strictly monitor and regulate the establishment and operation of internet café or kiosks, remittance centers, or similar establishments located within the Municipality of Hilongos, Leyte.

All internet café and kiosks, as well as money remittance centers, and all other establishment included in the preceding section should undergo a Seminar or Orientation on Online Sexual Exploitation and Abuse of Children (OSAEC) and together with a mandatory posting of visible signages on their establishments, as a requirement prior to the issuance of a business permit, regardless of the kind of application whether it is new or renewal. Upon the discretion of the Business Permit and Licensing Office, the said establishments may be issued a provisional license for a period of not more than three (3) months prior to the completion of the aforementioned OSAEC Seminars.

Section 14. Multi-disciplinary Case Management – In the handling and management of cases of child victims, the approach should be multi-disciplinary, and a multi-disciplinary case conference (MDCC) shall be conducted.

a. **Multi-disciplinary Team (MDT)**– composed the following:

- Chairperson Committee on Women, Children and Family Affairs
- Municipal Social Worker
- Municipal Health Officer
- Psychologist
- PNP-Women and Child Protection Desk (WCPD) Officer
- Municipal Legal Officer
- Representative from the Prosecutors Office
- DepEd GAD Focal Person

b. **Multi-disciplinary Case Management** – The MDT brings together different backgrounds and specializations of professionals with areas of expertise carry out work to address the holistic needs of the child survivor (and his/her family). It is a collaborative process of assessment, planning, implementation and review.

c. **Multi-disciplinary Case Conference (MDCC)** – A forum by which professionals having a major role in the handling of online child abuse exploitation cases can share their professional knowledge, information or concern on the child(ren). The case conference analyze risks and recommends actions to be taken in relation to the welfare planning of the child(ren) and the family. All the information and discussions would be kept confidential.

Section 15. Trainings – Regular trainings and seminars shall be held to enable the members of the BCPC, LCPC, LCAT-VAWC and MDT to function efficiently. Similar

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Municipal Mayor

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SB Member

EDWIN F. FALLER
SB Member

ALBERT R. VILLAHERMOSA
Municipal Vice-Mayor

RICHARD BENEDICTO A. OCARIO
Ex-Officio Member/President,
Liga ng mga Barangay

CRIS ANTONIO B. ONG
SB Member

MANUEL M. CABISAN
SB Member

MANUEL V. LORNA
SB Member

CECILIE ANTONETTE C. SABRIDO
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MANUEL M. CABISAN
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MANUEL R. VILLAHERMOSA
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BERNARDETH M. NERVES
SB Member

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SB Member

ALBERT R. VILLAHERMOSA
Municipal Vice Mayor

trainings shall also be provided to the following officials and volunteers for the purpose of equipping them with the necessary knowledge and skills to prevent and suppress OSAEC and CSAEM in their area and to assist in monitoring, investigation and prosecution and prosecution of cases of OSAEC.

Section 16. Trauma-Informed Care for Frontlines – In partnership with medical authorities and educational institutions, a program for counselling and stress management shall be developed for social workers and other frontline OSAEC responders.

Section 17. Establishment of a Healthy and Child-Friendly Space (or others existing child centers, temporary shelters in the LGU that can be used for the same purpose) – The Municipality of Hilongos shall establish a **Local Child Protection and Response Center (LCPRC)** that shall serve as a refuge for child victims in general. It shall provide for:

- Temporary shelter for abused children
- Interview rooms
- Office space for the Municipal Inter-Agency Council Against Online Sexual Abuse and Exploitation of Children and its Secretariat being Sub-Committee of LCPC of the Municipality.

The LCPCR shall also serve as an **assessment center** shall serve as to address the gap in the provision of comprehensive and timely assessments for OSAEC survivor placement as the basis for other partners in the Network of Care to provide case management.

The LCPCR shall be provided with adequate administrative staff to effectively serve the best interest of children.

- The primary role of assessment centers is to provide a safe and temporary home for newly rescued OSAEC survivors where they can receive specialized services and support for the start of their recovery;
- The staff of the center are composed of a team of professionals (social worker, psychologist, counselor, medical doctor, and nurses) and paraprofessionals (house parents, security personnel and administrative support staff) who provide critical care, specialized services, and comprehensive assessment to newly rescued OSAEC survivors. These staff members are expected to intentionally care for the children during their whole stay in the assessment center whilst employing trauma-informed care to support survivors in the recovery and development of attachment skills;
- Concurrently, a case management team composed of the center include, but are not limited to; psychologist, nurse, and medical doctor, alongside a law enforcement officer and lawyer, are designated to complete an individualized assessment of the child and his/her family.
- The critical assessments undertaken at the center include, but are not limited to; psychological assessment; medical assessment; psychological assessment and; family assessment. The comprehensive assessments of the child and his/her family are critical in determining the permanency plan for the child, be it reunification with relatives or reintegration through other avenues such as: foster care; independent living; or adoption;

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- e. Through this center, the process of transitioning a child to a permanent placement option is expected to be fast-tracked rather than extending the child's stay long-term inside the shelter.

Note: In the absence of a LCPCR of its equivalent center, a specific room in the LGU shall be established in accordance with the requirements of a child friendly space that shall serve the purpose of promoting the best interest of child victims. In the alternative, Community Day Care Centers shall be utilized as Child Friendly Space for processing and interview of children.

Section 18. Video In-Depth Disclosure Interview (VIDI) of the Child – To facilitate the proper assessment of the survivor and further support the prosecution of OSAEC Cases, the Municipality of Hilongos shall establish at least at least one (1) room specifically designated to conduct VIDI pursuant to Rule 28 and 29 of the Rules on the Examination of the Child Witness. Considering the requirements of a Child Friendly Space, the room shall be adequately established with the proper personnel and equipment such as but not limited to one-way mirrors, cameras, recorders, etc.

In the absence of a LCPCR, or a fully equipped facility or room, the VIDI may be conducted in the room assessed by the social worker to befit for a child interview pursuant to the requirements of a **child friendly space**, with a **VIDI Mobile Kit**.

The **Multi-disciplinary Team (MDT)** should be adequately trained to conduct VIDI on the child to ensure that they have a child protective mindset and that evidence derived from the same will be admissible in Court.

Section 19. VIDI Mobile Kit – The Municipal Social Welfare and Development Office shall be provided with VIDI Mobile Kits which shall be comprised of the following:

- a. Video Camera with Charger and Case
- b. Tripod
- c. Laptop with Charger and Case
- d. Storage Media (SD Card and Flash Drives)
- e. Extension Cord
- f. Forms and Support Documents Folder
 - f.1. Informed Consent Form
 - f.2. Handling Log Sheet
 - f.3. Interview Guide and Script
 - f.4. Sample Joint Affidavit of Interviewer and Social Worker
 - f.5. Blank Acknowledgment Receipt

Section 20. Local Anti-OSAEC Prevention and Awareness Programs – The Municipality of Hilongos shall conduct a robust prevention, awareness and campaign program involving all establishments covered on Section 2 of this Ordinance, including Barangays, Civil Society Organizations (CSOs), Public and Private Schools and other stakeholders to combat OSAEC.

The LGU shall observed "Anti-OSAEC Day" on the second Tuesday of February every year, which is designated as "Safer Internet Day for Children in the Philippines" and is recognized under R.A. No. 11930 "Anti-OSAEC Act".

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Municipal Mayor

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SB Member

MANUEL V. LORA
SB Member

Section 21. Penalties – The imposition of penalties under this Ordinance shall be without prejudice to the filing of appropriate criminal, administrative or civil actions as may be warranted under R.A. No. 11930 and other relevant laws.

The following penalties for violations of any provisions of this Ordinance are hereby imposed as follows:

- Offense: The offender violating this Ordinance shall be penalized with a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) and shall undergo a sixteen (16) hours Community Service upon the discretion of MSWDO Officer with a mandatory OSAEC and CSAEM Seminar.
- Business establishments found to have violated any of the provisions of this Ordinance shall be subjected to:
 - 1st Offense - one (1) month business suspension;
 - Final Offense – revocation of business permit
- In cases when any provision of this Ordinance is violated by any government agency, office or instrumentality, or any government employee, they shall be proceeded administratively.

“This Ordinance shall not preclude the prosecution of a case under Republic Act No. 11930 or the Anti-OSAEC Law by the Department of Justice under National Prosecution Office, which shall have control over whether to file an OSAEC Offense under this Ordinance of the Law. It should be noted, however, that Section 21 of Article III of the Philippine Constitution states that “if an act is punished by a law and an ordinance, conviction or acquittal under either shall constitute a bar to another prosecution for the same act.”

Section 22. Funding – A minimum annual amount of Five Hundred Thousand Pesos (P500,000.00) shall be allocated for the expenses for implementation of this Ordinance.

The operation and activities of the Council and establishment of the LCPRC shall be considered as related to gender and development projects, programs and activities of the Municipality and the funding therefore shall be part of the 5% gender and development fund for every year.

The funding, however, shall not be limited to the above-mentioned source for so long as other sources may be available as permitted by law.

Partnership with NGOs, CSOs, and private enterprises/individuals is encouraged for the implementation of the Ordinance.

Section 23. Repealing Clause – The provisions of previous local enactments, resolutions, memoranda, circulars, and other issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

Section 24. Separability Clause – Should any portion of this Ordinance be declared ultra vires or unconstitutional by competent authority, the remainder not so affected shall continue to be in full force and effect as it is susceptible to enforcement and application.

CECILLE ANTONIETTE C. SABRIDO
Ex-Officio Member / President, Pambayang Pederasyon ng
Sangguniang Kabataan

FRANCISCOM. ORTEGA
SB Member

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MANUEL R. VILLAHERMOSA
Municipal Mayor

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SB Member

EDWIN F. FALLER
SB Member

ALBERT R. VILLAHERMOSA
Municipal Vice Mayor

Section 25. Effectivity – This Ordinance shall take effect upon its approval, fifteen (15) days after its publication in newspaper of general circulation in the Municipality.


ENACTED this 10th day of March, 2025 during the Ninth Regular Session for CY 2025 of the 16th Sangguniang Bayan.


CRIS ANTONIO B. ONG
SB Member

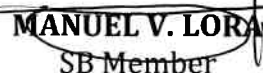

MANUEL M. GABISAN
SB Member


BERNADETH M. NERVES
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SB Member

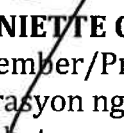

RICHARD BENEDICT V. OGARIO
Ex-Officio Member/President/Liga ng mga
Barangay


ALBERT R. VILLAHERMOSA
Municipal Vice-Mayor



MANUEL V. LORA
SB Member


ALINE B. REOMA
SB Member

TRINIDAD V. ZARATE
SB Member (*on vacation leave*)


CECILLE ANTONIETTE C. SABRIDO
Ex-Officio Member/President,
Pambayang Pederasyon ng Sangguniang
Kabataan


I HEREBY CERTIFY to the correctness of the foregoing ordinance.


CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian

ATTESTED:


FRANCISCO M. ORTEGA
Sangguniang Bayan Member/Deputy Presiding Officer

APPROVED:


MANUEL R. VILLAHERMOSA
Municipal Mayor
Date: April 10, 2025



OFFICE OF THE SANGGUNIANG BAYAN

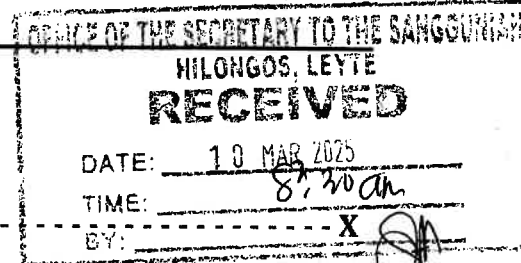
COMMITTEE ON SOCIAL SERVICES, WOMEN, CHILDREN, FAMILY AFFAIRS AND GAD

MINUTES OF THE PUBLIC HEARING ON THE PROPOSED ORDINANCE PROHIBITING
ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND CHILD
SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) ON FRIDAY, FEBRUARY 28,
2025 AT 9:00 IN THE MORNING, SB SESSION HALL, LEGISLATIVE BUILDING,
HILONGOS, LEYTE

In attendance:

(see attached sheet for attendance)

X - - - - -



The hearing was convened at 9:20 in the morning with a prayer led by the secretariat. Thereafter, a roll call was done wherein majority are present, thus Hon. Bernadeth M. Nerves declares quorum. She then expressed gratitude to all attendees for their presence and proceeded to present the proposed ordinance.

Hon. Nerves, being the Chairman Committee on Women and author of the ordinance, presented the proposed Municipal Ordinance Prohibiting Online Sexual Abuse and Exploitation of Children (OSAEC) and Child Sexual Abuse or Exploitation Materials (CSAEM) in the Municipality of Hilongos, Institutionalizing Programs for its Prevention and Eradication and Providing Funds Thereof, Thereafter Establishing a Supportive Environment for Child Victims and Providing Funds Thereof.

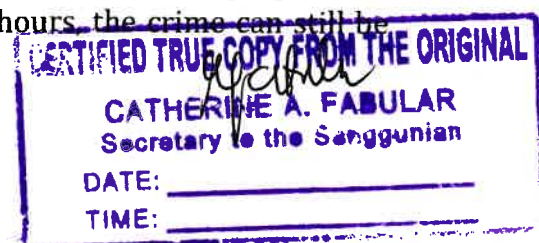
Hon. Nerves explained that this ordinance is rooted in the Anti-Child Trafficking laws. As technology advances and incidents of online sexual abuse continue to rise, the **Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act**, officially known as **Republic Act No. 11930** was enacted. She then cited the legal basis for the ordinance, referencing **RA 7610, RA 7160, and RA 11862**. This law has been localized through a memorandum circular issued by the DILG.

In line with **Section 2 on Scope and Application**, Hon. Nerves emphasized the responsibilities of restaurants, internets, hotels, lodges, resorts and other government agencies in preventing exploitation. She urged hotel owners and lodge operators to remain vigilant regarding their customers, particularly foreign individuals who check in with minors, or adults who check in with children or minors.

Hon. Nerves also highlighted the role of teachers, as children spend most of their time in school. A child's behavior and performance in school can be crucial in determining whether a child is experiencing abuse.

For **Section 4, Definition of Terms**, Hon. Nerves added that a child may also be defined as anyone up to 20 years old who is unable to protect themselves, including individuals with disabilities (PWDs) or those with mental disabilities. Hon. Nerves further explained OSAEC and CSAEM, stressing the urgency of passing the ordinance, highlighting the responsibility to protect children as part of their right to protection.

In **Section 12**, Hon. Nerves explained the responsibility of owners, operators, and lessors of other business establishments. Mr. Sambayon clarified that while the perpetrator can still be caught and evidence gathered within the first 48 hours, the crime can still be reported even after that timeframe has passed.



Ms. Vinculado mentioned that the DepEd has a Child Protection Council, which also follows a 48-hour period from obtaining facts and circumstances when child sexual abuse or exploitation is suspected.

Mr. Sambayon shared that the MSWD received a report about two minors in school uniforms having a conversation with two foreigners. A concerned citizen recorded a video of the interaction, expressing doubts about their relationship. After speaking with the foreigners, the minors went to a restaurant. According to the restaurant manager, that was the first time the minors were seen with the foreigners. Mr. Sambayon also pointed out that this occurred during class hours.

That being said, Hon. Nerves emphasized the responsibility of the owners to report any suspicious incidents and to be vigilant. She highlighted that, even with the minor's consent, the situation could still be considered sexual abuse or exploitation because the individuals involved were minors.

In **Section 13, Authority to Regulate Internet Café or Kiosk**, Hon. Nerves mentioned that during the next business permit renewal, all other establishments will be required to attend a seminar on the Anti-OSAEC and CSAEM Ordinance. Additionally, they must display visible signage in their establishments about the ordinance, along with the hotline numbers for the PNP and the Office of the MSWD.

For **Section 12, Responsibility of Owners, Operators, and Lessors of Business Establishments**, Hon. Nerves stated that a separate public hearing will be conducted specifically for business owners and operators to address their responsibilities under the ordinance.

Ms. Flanco inquired whether they have the authority to report instances of teenagers frequently hanging out at the beach at night, especially considering there have been incidents of rape in the area. In response, Hon. Nerves stated that such cases can be reported, particularly if minors are involved, to help prevent potential crimes.

PSSg Casinillo shared that two male minors stole a motorcycle in Brgy. Atabay. Upon investigation, it was found that they took the motorcycle to go to Bato "para mamayot". They were caught by the owner when they returned the motorcycle around 3 a.m. PSSg Casinillo also mentioned that these minors had been involved in previous crimes as well.

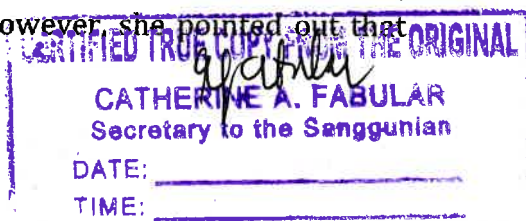
PSSg Casinillo mentioned that there are no reported cases regarding OSAEC, however there was a reported incident about an elementary male student who flashed his private part in the school.

Hon. Nerves also presented the case referral, in which she commended the case referral system of Brgy. Pontod for its efficiency and assistance.

For **Section 21**, Hon. Nerves shared that the original provision included second and third offenses. However, during the committee meeting, it was decided to remove these and implement a first and final offense policy, emphasizing the municipality's commitment in protecting children from exploitation and abuse.

Mr. Milano commented that, given how secretive students have become, perhaps the school could consider conducting an anonymous survey. This would provide students with a safe space to express their thoughts and concerns without fear of judgment, encouraging honest feedback.

In response, Ms. Olimpo replied that while surveys could be useful, there is always the possibility that children might not be truthful. Instead, she suggested that efforts should start within the family, such as limiting screen time for children. She shared that at school, she often reprimands students for using their cellphones. However, she pointed out that



many crimes occur at night when the children are already at home. Ms. Olimpo also mentioned that they monitor students who frequently use their phones, and if caught, they are reprimanded. While the survey could be helpful, she emphasized that key observations should come from various sources: the family, friends, school, and the community.

In relation to Mr. Milano's comment, Mr. Vilbar mentioned that data from the Young Adult Fertility and Sexuality Survey is available, which includes issues related to children. He explained that while the survey is national, it also incorporates local data. Mr. Vilbar shared that there has been a rapid increase in teenage pregnancy and rape cases in the municipality, which is very alarming.

Mr. Cinco shared that they have the capability to control search engines, which allows them to filter out certain content that users can search for or watch. However, he pointed out that with Piso-WIFI they face limitations in controlling and filtering content completely. He explained that the open nature of these services makes it difficult to enforce strict content restrictions. To address this issue, Mr. Cinco suggested that a more effective solution would be for the primary internet providers to take on the responsibility of filtering content, ensuring that all users, regardless of the platform, are protected from inappropriate material.


Mr. Sambayon stressed the importance of maintaining consistent public awareness and information campaigns to ensure that victims know where to turn for help and who they can talk to for support. That being said, Mr. Vilbar shared that the MSWD is distributing flyers and tarpaulins about the Safe Spaces Act and the Bawal Bastos Law to business establishments.

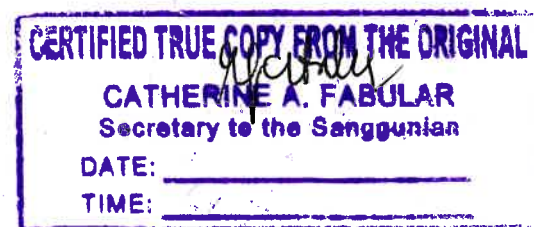
Mr. Sambayon also shared that the Office of the MSWD conducts information drives in schools on OSAEC and CSAEM, as well as educating students about the responsible use of inform PSSg Casinillo also mentioned that they will be conducting an activity in schools focused on VAWC and illegal drugs. She encouraged teachers to reassure students that they can talk to them and approach them with any concerns.

Hon. Nerves emphasized the importance of cooperation between the stakeholders and the LGU in protecting children, stressing that such collaboration is vital in creating a safer environment. She also highlighted the need for enhancing public awareness and urged the community to be vigilant, encouraging the reporting of violations or any suspicious activities. Through these collective efforts, the aim is to ensure that children's rights are upheld and that they are safeguarded from harm in all public and private spaces.


With no further matters to discuss, the hearing was adjourned at 10:42 in the morning, concluding with a productive discussion on the proposed Anti-OSAEC and CSAEM Ordinance.

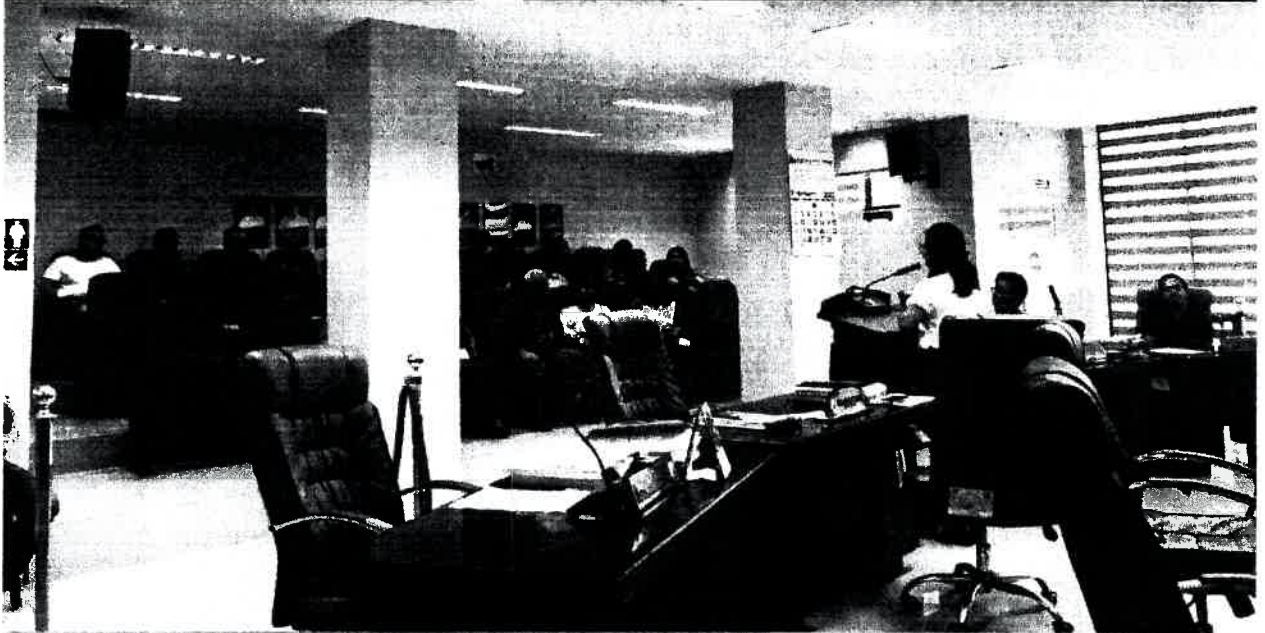
Prepared by:


ANGELINE JOYCE P. ALPECHE
Secretariat



Concurred by:


HON. BERNADETH M. NERVES
*SB Member/ Chairperson, Committee on
Social Services, Women, Children,
Family Affairs and GAD*



CERTIFIED TRUE COPY FROM THE ORIGINAL
CATHERINE A. FABULAR
Secretary to the Sanggunian
DATE: _____
TIME: _____



Republic of the Philippines
Province of Leyte
Municipality of Hilongos



OFFICE OF THE SANGGUNIANG BAYAN

ATTENDANCE SHEET

Public Hearing on the Proposed Ordinance Prohibiting Online Sexual Abuse and Exploitation of Children (CSAEE) and Child Sexual Abuse or Exploitation Materials (CSAEM) on Friday, February 28, 2023 at 9:00 AM, SB Session Hall.

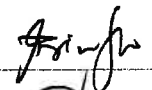


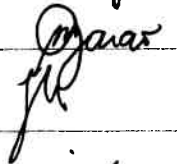


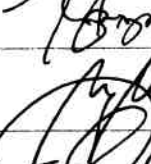
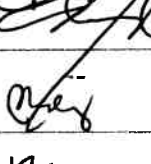


Name	Position	Sex		Office/ Agency	Signature
		Male	Female		
TERESITA TONGION CIXEO	owner		✓	J & T Internet Ent.	<i>[Signature]</i>
Jason T. Cixeo	" " Manager		✓	J & T Internet Ent.	<i>[Signature]</i>
Br. Elmer Baer	School Affairs Officer	✓		Saint Teresa School of Hilongos, Inc.	<i>[Signature]</i>
EMMA R. WAGAS	OIC		✓	MLG College of Learning Inc.	<i>[Signature]</i>
Palen, Hiaycal	owner		✓	harumi travellers inn	<i>[Signature]</i>
Verdijo, Roberto Jr.	Secretary	✓		Traveller's Inn	<i>[Signature]</i>
ANNA BELLA C. VINCHILADO	P-1		✓	ED ED - Bagumbayan ES	<i>[Signature]</i>
Robert Milano	Owner	✓		PCM/RMM Internet Cafe	<i>[Signature]</i>
MARK ANTHON D. RAMBON	CEO - 1	✓		LGB	<i>[Signature]</i>
ELIZABETH S. LABAO	MANAGER		✓	GSBR LABAO BEACH RESORT	<i>[Signature]</i>

DATE:
TIME:

Secretary to the Sanggunian

CAHERITA A. FLORES

ORIGINAL

Name	Position	Sex		Office/ Agency	Signature
		Male	Female		
Annalyn Alonzo	Owner		✓	Shans Internet Cafe	
Marjory Gado	GOCC-school nurse		✓	GOCC	
NOVA VILBAR	OWNER'S REPRESENTATIVE		✓	LEOPARDS BEACH RESORT	
MARIEL GAKO	PDO-1		✓	(MATH) HILONGA NORTH DISTRICT	
RAMON FULACH	My's hotel owner	✓			
Jhonnie Verdadero	3J's hotel		✓	Atabay Hilongas Leyte	
PSSy Mark Gsinilo	WCPD PNCU		✓	PNP	
Elsie B. Sundin	School Head		✓	DepEd, Hilongos South	
ROWEN O. SPIZ	EMPLOYEE		✓	ROSE TRAVELER'S HOME	
Erlyn T. Masagan	Employee		✓	Puerto Moreno Beach Resort	
Wilani Flanco	Manager		✓	Rafael's Resort	
ARMUND D. VICAR	GAD FOCAL	✓		LGU - ALONZO	
MA-INGRID D. OLIMPO	GUIDANCE COUNSELOR		✓	Dep-Ed HVUS	
Estelina Plarco	Caretaker		✓	Teresa's Pension House	
Arlo Lagoda	CS Manager	✓		Internet	

DATE: _____
 TIME: _____
 CATHY A. FABULAR
 Secretary to the Sanggunian

ORIGINAL
 OF THE ORIGINAL

CATHY A. FABULAR
 Secretary to the Sanggunian

MA-INGRID D. OLIMPO

Estelina Plarco

Arlo Lagoda

CS Manager

Puerto Moreno Beach Resort

Rafael's Resort

LGU - ALONZO

Dep-Ed HVUS

Teresa's Pension House

Internet



**Republic of the Philippines
Province of Leyte
Municipality of Hilongos**



OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that a copy of **Municipal Ordinance No. 2025-07: An Ordinance Prohibiting Online Sexual Abuse and Exploitation of Children (OSAEC) and Child Sexual Abuse or Exploitation Materials (CSAEM) in the Municipality of Hilongos Institutionalizing Programs for its Prevention and Eradication and Providing Penalties Thereof, Thereafter Establishing A Supportive Environment for Child Victims, and Providing Funds Thereof** was posted in three (3) conspicuous places within the Municipality of Hilongos pursuant to paragraph (a) of Article 114 of RA 7160 also known as the Local Government Code of 1991.

FURTHER, this certify that the undersigned has duly complied the said provision from March 17, 2025 up to March 26, 2025.

ISSUED this 11th day of April, 2025 in Hilongos, Leyte, Philippines.

CATHERINE A. FABULAR, J.D.
Secretary to the Sanggunian